

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 1100**

Introduced by Mello, 5; Gay, 14.

Read first time January 21, 2010

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to motor vehicles; to amend section 60-6,349,  
2 Reissue Revised Statutes of Nebraska, sections 60-123,  
3 60-137, 60-302, 60-339, and 60-605, Revised Statutes  
4 Cumulative Supplement, 2008, and sections 60-101, 60-301,  
5 and 60-601, Revised Statutes Supplement, 2009; to  
6 allow operation of low-speed vehicles on highways as  
7 prescribed; to require titling and registration for  
8 low-speed vehicles; to harmonize provisions; and to  
9 repeal the original sections.  
10 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 60-101, Revised Statutes Supplement,  
2 2009, is amended to read:

3           60-101 Sections 60-101 to 60-197 and section 4 of  
4 this act shall be known and may be cited as the Motor Vehicle  
5 Certificate of Title Act.

6           Sec. 2. Section 60-123, Revised Statutes Cumulative  
7 Supplement, 2008, is amended to read:

8           60-123 Motor vehicle means any vehicle propelled  
9 by any power other than muscular power except (1) mopeds,  
10 (2) farm tractors, (3) self-propelled equipment designed and  
11 used exclusively to carry and apply fertilizer, chemicals, or  
12 related products to agricultural soil and crops, agricultural  
13 floater-spreader implements, and other implements of husbandry  
14 designed for and used primarily for tilling the soil and harvesting  
15 crops or feeding livestock, (4) power unit hay grinders or a  
16 combination which includes a power unit and a hay grinder when  
17 operated without cargo, (5) vehicles which run only on rails or  
18 tracks, (6) off-road designed vehicles, including, but not limited  
19 to, golf carts, go-carts, riding lawnmowers, garden tractors,  
20 all-terrain vehicles, snowmobiles registered or exempt from  
21 registration under sections 60-3,207 to 60-3,219, and minibikes,  
22 (7) road and general-purpose construction and maintenance machinery  
23 not designed or used primarily for the transportation of persons or  
24 property, including, but not limited to, ditchdigging apparatus,  
25 asphalt spreaders, bucket loaders, leveling graders, earthmoving

1 carryalls, power shovels, earthmoving equipment, and crawler  
2 tractors, (8) self-propelled chairs used by persons who are  
3 disabled, and (9) electric personal assistive mobility devices. 7  
4 ~~and (10) low-speed vehicles.~~

5 Sec. 3. Section 60-137, Revised Statutes Cumulative  
6 Supplement, 2008, is amended to read:

7 60-137 (1) The Motor Vehicle Certificate of Title Act  
8 applies to all vehicles as defined in the act, except:

9 (a) Farm trailers;

10 ~~(b) Low-speed vehicles;~~

11 ~~(c) (b) Well-boring apparatus, backhoes, bulldozers, and~~  
12 front-end loaders; and

13 ~~(d) (c) Trucks and buses from other jurisdictions~~  
14 required to pay registration fees under the Motor Vehicle  
15 Registration Act, except a vehicle registered or eligible to be  
16 registered as part of a fleet of apportionable vehicles under  
17 section 60-3,198.

18 ~~(2) (2) (a) All new all-terrain vehicles and minibikes~~  
19 sold on or after January 1, 2004, shall be required to have  
20 a certificate of title. An owner of an all-terrain vehicle or  
21 minibike sold prior to such date may apply for a certificate of  
22 title for such all-terrain vehicle or minibike as provided in rules  
23 and regulations of the department.

24 (b) All new low-speed vehicles sold on or after January  
25 1, 2011, shall be required to have a certificate of title. An

1 owner of a low-speed vehicle sold prior to such date may apply for  
2 a certificate of title for such low-speed vehicle as provided in  
3 rules and regulations of the department.

4 (3) An owner of a utility trailer may apply for a  
5 certificate of title upon compliance with the Motor Vehicle  
6 Certificate of Title Act.

7 (4) (a) Every owner of a manufactured home or mobile home  
8 shall obtain a certificate of title for the manufactured home or  
9 mobile home prior to affixing it to real estate.

10 (b) If a manufactured home or mobile home has been  
11 affixed to real estate and a certificate of title was not issued  
12 before it was so affixed, the owner of such manufactured home or  
13 mobile home shall apply for and be issued a certificate of title  
14 at any time for surrender and cancellation as provided in section  
15 60-169.

16 Sec. 4. If a low-speed vehicle does not have a  
17 manufacturer's vehicle identification number, the owner of the  
18 low-speed vehicle may apply for a certificate of title by  
19 presenting a manufacturer's statement of origin for the low-speed  
20 vehicle, a statement that an inspection has been conducted on the  
21 low-speed vehicle, and a vehicle identification number as described  
22 in section 60-148. The certificate of title shall indicate the year  
23 of the low-speed vehicle as the year application for title was made  
24 and the make of the low-speed vehicle.

25 Sec. 5. Section 60-301, Revised Statutes Supplement,

1 2009, is amended to read:

2 60-301 Sections 60-301 to 60-3,222 and section 8 of  
3 this act shall be known and may be cited as the Motor Vehicle  
4 Registration Act.

5 Sec. 6. Section 60-302, Revised Statutes Cumulative  
6 Supplement, 2008, is amended to read:

7 60-302 For purposes of the Motor Vehicle Registration  
8 Act, unless the context otherwise requires, the definitions found  
9 in sections 60-303 to 60-360 and section 8 of this act shall be  
10 used.

11 Sec. 7. Section 60-339, Revised Statutes Cumulative  
12 Supplement, 2008, is amended to read:

13 60-339 Motor vehicle means any vehicle propelled  
14 by any power other than muscular power except (1) mopeds,  
15 (2) farm tractors, (3) self-propelled equipment designed and  
16 used exclusively to carry and apply fertilizer, chemicals, or  
17 related products to agricultural soil and crops, agricultural  
18 floater-spreader implements, and other implements of husbandry  
19 designed for and used primarily for tilling the soil and harvesting  
20 crops or feeding livestock, (4) power unit hay grinders or a  
21 combination which includes a power unit and a hay grinder when  
22 operated without cargo, (5) vehicles which run only on rails or  
23 tracks, (6) off-road designed vehicles, including, but not limited  
24 to, golf carts, go-carts, riding lawnmowers, garden tractors,  
25 all-terrain vehicles, snowmobiles registered or exempt from

1 registration under sections 60-3,207 to 60-3,219, and minibikes,  
2 (7) road and general-purpose construction and maintenance machinery  
3 not designed or used primarily for the transportation of persons or  
4 property, including, but not limited to, ditchdigging apparatus,  
5 asphalt spreaders, bucket loaders, leveling graders, earthmoving  
6 carryalls, power shovels, earthmoving equipment, and crawler  
7 tractors, (8) self-propelled chairs used by persons who are  
8 disabled, and (9) electric personal assistive mobility devices. 7  
9 ~~and (10) low-speed vehicles.~~

10           Sec. 8. For the registration of every low-speed vehicle,  
11 the fee shall be fifty dollars.

12           Sec. 9. Section 60-601, Revised Statutes Supplement,  
13 2009, is amended to read:

14           60-601 Sections 60-601 to 60-6,378 and sections 11 and 12  
15 of this act shall be known and may be cited as the Nebraska Rules  
16 of the Road.

17           Sec. 10. Section 60-605, Revised Statutes Cumulative  
18 Supplement, 2008, is amended to read:

19           60-605 For purposes of the Nebraska Rules of the Road,  
20 the definitions found in sections 60-606 to 60-676 and section 11  
21 of this act shall be used.

22           Sec. 11. Low-speed vehicle means a vehicle that (1)  
23 cannot travel more than twenty-five miles per hour on a paved,  
24 level surface, (2) complies with 49 C.F.R. part 571, as such  
25 part existed on January 1, 2010, or (3) is designated by the

1 manufacturer as an off-road or low-speed vehicle.

2           Sec. 12. A low-speed vehicle may be operated on any  
3 highway on which the speed limit is not more than thirty-five miles  
4 per hour. Any person operating a low-speed vehicle as authorized  
5 under this section shall have a valid Class O operator's license  
6 and shall have liability insurance coverage for the low-speed  
7 vehicle. The Department of Roads may prohibit the operation of  
8 low-speed vehicles on any highway under its jurisdiction if it  
9 determines that the prohibition is necessary in the interest of  
10 public safety.

11           Sec. 13. Section 60-6,349, Reissue Revised Statutes of  
12 Nebraska, is amended to read:

13           60-6,349 All minibikes and similar two-wheeled,  
14 three-wheeled, and four-wheeled miniature vehicles offered for sale  
15 in this state shall bear the following notice to the customer and  
16 user: This vehicle as manufactured or sold is for off-road use  
17 only. This section shall not apply to a low-speed vehicle, as  
18 applicable to its design, or to an electric personal assistive  
19 mobility device.

20           Sec. 14. Original section 60-6,349, Reissue Revised  
21 Statutes of Nebraska, sections 60-123, 60-137, 60-302, 60-339,  
22 and 60-605, Revised Statutes Cumulative Supplement, 2008, and  
23 sections 60-101, 60-301, and 60-601, Revised Statutes Supplement,  
24 2009, are repealed.